

**REMARKS/ARGUMENTS**

Upon entry of the above amendment, claims 19, 22, 24, and 25 will have been amended and submitted for consideration by the Examiner. Applicant respectfully requests reconsideration of the outstanding rejections of the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express appreciation to the Examiner for the detailed Official Action provided, and for conducting an interview by phone on October 7, 2003.

Applicant further notes with appreciation the Examiner's acknowledgment of Applicant's Information Disclosure Statements filed in the present application on October 7, 2002, December 7, 2000, and June 14, 2000 by the return of the initialed and signed PTO-1449 Forms, and for consideration of the documents cited in Information Disclosure Statements.

However, Applicant has also filed Information Disclosure Statements in the present application on September 29, 1999, November 7, 2001 and September 24, 2003. Applicant respectfully requests that the Examiner consider the documents cited in these Information Disclosure Statements and return of the initialed and signed PTO-1449 Forms.

Turning to the merits of the action, The Examiner has rejected claims 19, 20, 22, 24 and 25 under 35 U.S.C § 102(b), as being anticipated by MURPHY (U.S. Publication

No. 2002/0036792). The Examiner also rejected claims 21 and 23 under 35 U.S.C § 103(a) as being unpatentable over MURPHY (U.S. Publication No. 2002/0036792) and in view of BOBO, II (U.S. Patent No. 5,675,507).

As noted above, Applicant has submitted amended claims 19, 22, 24, and 25. Applicant respectfully traverses the above rejection based on the amended claims 19, 22, 24, and 25 and will discuss the rejection with respect to the pending claims in the present application as will be set forth herein below. The newly amended claims merely clarify the subject matter, but do not narrow the scope of the claims.

In the above-noted rejection, the Examiner asserts that MURPHY discloses an image data transmitting apparatus that converts image data into a plurality of file formats, the data of each file format including all of the image data.

Applicant respectfully traverses. Particularly, Applicant's claims relate to an image data transmitting apparatus that has a memory in which an e-mail address of a recipient and an address of a server corresponding to the e-mail address of the recipient are stored, and a converter that converts image data into a predetermined plurality of file formats, the data of each file format including all of the image data. The image transmitting apparatus includes a transmitter that determines the server corresponding to the recipient when the e-mail address of the recipient is input, transmits to the server the data in each of the predetermined plurality of file formats and transmits to the recipient, by e-mail, the address of the server in which the data in the predetermined plurality of file formats corresponding to the image data is stored.

On the other hand, MURPHY discloses the device 16 which converts a native facsimile data into e-mail format, accomplishes image compression for the converted data, and encrypts the compressed data. However, MURPHY does not contain any disclosure about transmitting, to the server, all of the native facsimile data, the data converted into e-mail format, the compressed data, and the encrypted data. MURPHY discloses transmitting, to the server 20, only one of the compressed data and the encrypted data. Thus, it is respectfully submitted that the features recited in Applicant's claim 19-21 and 24 are not disclosed in MURPHY cited by the Examiner.

Applicant's invention is also directed to an image receiving apparatus connected to an image transmitting apparatus through a network including at least one server. The server is configured to store image data to be received in a predetermined plurality of file formats, data of each file format including all of the of the image data. The image receiving apparatus receives an e-mail of an address of a server in which the image data to be received is stored, accesses the server by using said address to select image data that is stored in a file format corresponding to the capability of the image receiving apparatus and to extract the image data of said selected file format from said server. However, as above explained, MURPHY does not disclose transmitting, to the server, all of the native facsimile data, the data converted into e-mail format, the compressed data, and the encrypted data, but discloses transmitting, to the server 20, only one of the compressed data and the encrypted data. In addition, MURPHY does not contain any disclosure about the image receiving apparatus selecting image data in a file format corresponding to the

capability of the image receiving apparatus and extracting the image data of said selected file format from said server. Thus, it is respectfully submitted that the features recited in Applicant's claim 22-23 and 25 are not also disclosed in MURPHY cited by the Examiner.

As explained in the remarks filed on June 25, 2003, BOBO selects only one type of format from a plurality type of formats when it converts messages (col. 11, lines 10-31), but does not convert the same message into a plurality of file formats, each file format including all of the image data so that a recipient can select from the server, the data in a file format corresponding to the image receiving apparatus' capability. Thus, it is respectfully submitted that the features recited in Applicant's claims 19- 25 are not also disclosed in BOBO cited by the Examiner.

The combination of MURPHY and BOBO is also clearly different from the pending claims, since neither of MURPHY and BOBO discloses the above features recited in Applicant's claims. Thus, the pending claims are submitted to be patentable over the Examiner's proposed combination.

During the above-noted interview, Applicant's undersigned representative asserted the patentability of all the claims pending in the present application. In particular, Applicant's representative pointed out that the cited reference does not teach at least a transmitter that transmits to the server the data in the plurality of file formats. Rather, MURPHY transmits data in a single format.

During the interview, the Examiner recognized this difference but requested that it be more explicitly recited in the claims. Applicant responded that the term “to transmit to said server the data in the plurality of file formats” explicitly recites this distinctive feature. Nevertheless, the Examiner requested further clarification of the claim language and in an effort to expedite the prosecution of the present application, Applicant is accommodating the Examiner’s concerns. However, Applicant submits that this feature was previously explicitly recited in the claims. Thus, the present amendment is merely cosmetic in nature and does not narrow the scope of the claims.

Moreover, Applicant notes that the status of the present application is after Final Rejection and that Applicants do not have a right to amend an application once a Final Rejection has been issued. Nevertheless, Applicant submits that the present amendment should be entered in accordance with the provisions of 37 C.F.R. § 1.116. In particular, the present amendment does not raise new issues requiring further consideration or search since the term “plurality of file formats” was previously explicitly recited. Further, the present amendment was made merely to address the Examiner’s concerns and thus the same even more clearly places the present application in condition for allowance.

Accordingly, Applicant respectfully requests entry of the present amendments, reconsideration and withdrawal of the outstanding rejections and an indication of the allowability of all the claims pending in the present application in due course.

SUMMARY AND CONCLUSION

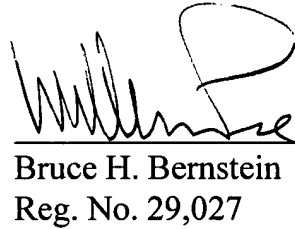
Applicant has made a sincere effort to place the present application in condition for allowance and believe that he has now done so. Applicant has amended the independent claims merely to accommodate the Examiner's expressed concern regarding a feature discussed during a telephone interview. Applicant has also pointed out the features of the claims and has contrasted the features of the claims with the disclosure of the references. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application in due course. Applicant has further made of record the interview conducted with the Examiner and has presented reasons for entry of the present amendment.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

P18153.A10

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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October 22, 2003  
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